

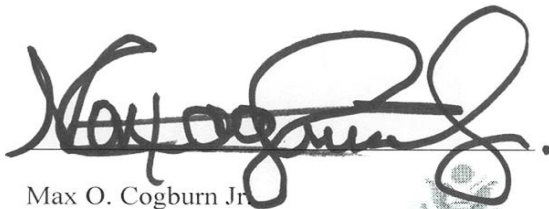


and recitation of issues is supported by the applicable pleadings. Based on such determinations, the court will fully affirm the Memorandum and Recommendation and grant relief in accordance therewith.

**ORDER**

**IT IS, THEREFORE, ORDERED** that the Memorandum and Recommendation (#26) is **AFFIRMED**, defendant CVS Rx Services, Inc.'s Motion to Dismiss (#19) is **GRANTED**, and plaintiffs' Motion for Issuance of Summons (#23) is **DENIED**. The case is hereby **DISMISSED** without prejudice.

Signed: September 13, 2016



Max O. Cogburn Jr.  
United States District Judge